

Jonathan L. Hauser
VSB No. 18688
TROUTMAN SANDERS LLP
222 Central Park Avenue
Suite 2000
Virginia Beach, VA 23462
Telephone: (757) 687-7768
Facsimile: (757) 687-1505

Counsel to the Foreign Representative

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	
)	Chapter 15
)	
WHITE BIRCH PAPER COMPANY, <u>et al.</u> , ¹)	Case No. 10-_____ (____)
)	
Debtors in a Foreign Proceeding.)	Joint Administration Requested
)	

**MOTION FOR ENTRY OF AN ORDER AUTHORIZING
CERTAIN ATTORNEYS FROM KIRKLAND & ELLIS LLP TO APPEAR AND
PRACTICE *PRO HAC VICE* ON BEHALF OF THE FOREIGN REPRESENTATIVE**

Jonathan L. Hauser, partner of Troutman Sanders LLP (the “Movant”), a member in good standing of the Bar of the Commonwealth of Virginia and the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”), hereby moves the Court, pursuant to this motion (the “Motion”), for the entry of an order (the “Order”), substantially in the form of **Exhibit A**, attached hereto, authorizing: (a) Richard M. Cieri, a partner in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; (b) Christopher J. Marcus, a partner in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; (c) Michael A. Cohen, a partner in the law firm of Kirkland & Ellis LLP, 601

¹ The Debtors in these cases are: White Birch Paper Company (“White Birch Company”); Papier Masson Ltee (“Papier Masson”); Stadacona General Partner, Inc. (“Stadacona GP”); Stadacona Limited Partnership (“Stadacona LP”); F.F. Soucy Limited Partnership (“FF Soucy LP”); and F.F. Soucy Inc. & Partners, Limited Partnership (“FF Soucy & Partners LP”). The Debtors’ U.S. service address is 80 Field Point Road, Greenwich, Connecticut 06830.

Lexington Avenue, New York, New York 10022; (d) Adam Goldstein, an associate in the law firm of Kirkland & Ellis LLP, 300 North LaSalle Street, Chicago, Illinois 60654; and (e) Richard M. Goldman, an associate in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022 (collectively, the “Admittees”) to appear and practice *pro hac vice* on behalf of White Birch Paper Company (“White Birch Company” or the “Foreign Representative”) in the above-captioned cases and any related adversary litigation pursuant to Rule 2090-1(E)(2) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Bankruptcy Rules”). In support of the Motion, the Movant states as follows:

Jurisdiction

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1410(3).

Relief Requested

3. By the Motion, the Movant seeks an order authorizing the Admittees to appear and practice *pro hac vice* on behalf of the Foreign Representative.
4. Richard M. Cieri is a member in good standing of the Bar of the State of New York and is admitted to practice before the United States District Court for the Southern District of New York. There are no disciplinary proceedings pending against him.
5. Christopher J. Marcus is a member in good standing of the Bar of the State of New York and is admitted to practice before the United States District Court for the Southern District of New York. There are no disciplinary proceedings pending against him.

6. Michael A. Cohen is a member in good standing of the Bar of the States of New York and Connecticut and is admitted to practice before the United States District Court for the Eastern and Southern Districts of New York. There are no disciplinary proceedings pending against him.

7. Adam Goldstein is a member in good standing of the Bar of the State of Illinois and is admitted to practice before the United States District Court for the Northern District of Illinois. There are no disciplinary proceedings pending against him.

8. Richard M. Goldman is a member in good standing of the Bar of the State of New York and is admitted to practice before the United States District Court for the Eastern, Southern and Western Districts of New York. There are no disciplinary proceedings pending against him.

9. Pursuant to Local Bankruptcy Rule 2090-1(E)(2), “an attorney from another state, the District of Columbia or a territory of the United States may appear and practice in cases *pro hac vice* before this court upon motion of a member of the Bar of this Court, provided that in all appearances said attorney shall be accompanied by a member of this Bar.”

Waiver of Memorandum of Points and Authorities

10. The Foreign Representative respectfully request that the Court treat the Motion as a written memorandum of points and authorities or waive any requirement that the Motion be accompanied by a written memorandum of points and authorities as described in Local Bankruptcy Rule 9013-1(G).

Notice

11. The Foreign Representative has provided notice of the Motion, pursuant to Bankruptcy Rules 1011(b) and 2002(q), to: (a) the Office of the United States Trustee for the Eastern District of Virginia; (b) counsel to the agent under the Debtors’ proposed postpetition

financing agreement; (c) counsel to the agent under the First Lien Term Loan Agreement; (d) counsel to the agent under the Second Lien Term Loan Agreement; (e) counsel to the agent under the Revolving ABL Agreement; (f) counsel to counterparties under the Swap Agreements; (g) the monitor appointed in the CCAA Cases; (h) all parties to litigation currently pending in the United States to which any Debtor is a party; (i) SunTrust Bank; (j) HSBC Bank USA, N.A.; and (k) vendors and suppliers of the Debtors located in the United States. In light of the nature of the relief requested, the Foreign Representative respectfully submits that no further notice is necessary.

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WHEREFORE, for the reasons set forth herein, the Movant respectfully requests that the Court enter an order, substantially in the form attached hereto as **Exhibit A**, (a) authorizing the Admittees to appear and practice *pro hac vice* on behalf of the Foreign Representative and (b) granting such other and further relief as is just and proper.

Dated: February 24, 2010
Richmond, Virginia

/s/ Jonathan L. Hauser

Jonathan L. Hauser
VSB No. 18688
TROUTMAN SANDERS LLP
222 Central Park Avenue
Suite 2000
Virginia Beach, VA 23462
Telephone: (757) 687-7768
Facsimile: (757) 687-1505

Counsel to the Foreign Representative

Exhibit A

Proposed Order

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WHITE BIRCH PAPER COMPANY, <u>et al.</u> , ¹)	Case No. 10-_____ (___)
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**ORDER AUTHORIZING CERTAIN ATTORNEYS
FROM KIRKLAND & ELLIS LLP TO APPEAR AND PRACTICE
PRO HAC VICE ON BEHALF OF THE FOREIGN REPRESENTATIVE**

Upon the motion (the “Motion”)² of Jonathan L. Hauser, Esq, a partner in the law firm of Troutman Sanders LLP, for the admission *pro hac vice* of: (a) Richard M. Cieri, a partner in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; (b) Christopher J. Marcus, a partner in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; (c) Michael A. Cohen, a partner in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; (d) Adam Goldstein, an associate in the law firm of Kirkland & Ellis LLP, 300 North LaSalle Street,

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² Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

Chicago, Illinois 60654; and (e) Richard M. Goldman, an associate in the law firm of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this court pursuant to 28 U.S.C. §§ 1408 and 1410(3); and notice of the Motion, having been adequate and appropriate under the circumstances; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion is granted in its entirety.
2. Richard M. Cieri, Christopher J. Marcus, Michael A. Cohen, Adam Goldstein and Richard M. Goldman are authorized to appear and practice *pro hac vice* as counsel to the Foreign Representative in the above-captioned chapter 15 cases.
3. The Foreign Representative is authorized to take all actions necessary to effectuate the relief granted pursuant to the Order in accordance with the Motion.
4. The terms and conditions of the Order shall be immediately effective and enforceable upon its entry.
5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of the Order.

Dated: _____, 2010
Richmond, Virginia

United States Bankruptcy Judge

I ASK FOR THIS:

/s/ Jonathan L. Hauser

Jonathan L. Hauser

VSB No. 18688

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Counsel to the Foreign Representative

CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jonathan L. Hauser